



MEETING MINUTES
BOARD OF SUPERVISORS, COUNTY OF MONO
STATE OF CALIFORNIA

Regular Meetings: The First, Second, and Third Tuesday of each month. Location of meeting is specified at far right.

Regular Meeting

MEETING LOCATION
Mammoth Lakes BOS
Meeting Room, 3rd Fl. Sierra
Center Mall, 452 Old
Mammoth Rd., Mammoth
Lakes, CA 93546

October 16, 2012

9:00 AM

Meeting Called to Order by Supervisor Bauer, Chair

- Supervisors present: Bauer, Hansen, Hazard, Hunt, and Johnston
- Supervisors absent: None

Pledge of Allegiance led by Jim Arkens, CAO

OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

No one spoke.

**Urgency
Item**

Marshall Rudolph, County Counsel: Due to last-minute developments in a pending legal case, the Board needs to add the following urgency item to the agenda: Closed Session for Conference with Legal Counsel re Existing Litigation—Mono County v. Mammoth Mountain Ski Area, et al. The Board needs to consider issues before their next regularly scheduled meeting. These issues came to County Counsel's attention after today's agenda had already been posted.

M12-224

Action: Determine that there is a need to take immediate action with respect to the proposed agenda item, that the need for action came to the County's attention subsequent to the agenda being posted and, therefore, that the Board add the item to the agenda.

Hazard moved; Hunt seconded

Vote: 5 Yes; 0 No

Closed Session: 9:03 a.m.

Break: 10:35 a.m.

Reconvened: 10:43 a.m.

Convened Economic Development Corporation: 12:10 p.m.

Adjourned Economic Development Corporation: 12:16 p.m.

Lunch: 12:16 p.m.

Reconvened Board of Supervisors: 1:23 p.m.

Adjourned: 3:29 p.m.

CLOSED SESSION

The Board had nothing to report from Closed Session.

BOARD OF SUPERVISORS

- 1a) Closed Session--Human Resources - CONFERENCE WITH LABOR NEGOTIATORS. Government Code Section 54957.6. Agency designated representative(s): Marshall Rudolph, Brian Muir, and Jim Arkens. Employee Organization(s): Mono County Sheriff's Officers Association (aka Deputy Sheriff's Association), Local 39--majority representative of Mono County Public Employees (MCPE) and Deputy Probation Officers Unit (DPOU), Mono County Paramedic Rescue Association (PARA), Mono County Public Safety Officers Association (PSO), and Mono County Sheriff Department's Management Association (SO Mgmt). Unrepresented employees: All.
- 1b) Conference with Legal Counsel - CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION. Initiation of litigation pursuant to subdivision (c) of Government Code section 54956.9. Number of potential cases: one.
- 1c) Conference with Legal Counsel - CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION. Significant exposure to litigation pursuant to subdivision (b) of Government Code section 54956.9. Number of potential cases: Facts and circumstances: Refund claim from taxpayer.
- 1d) Performance Evaluation - PUBLIC EMPLOYEE PERFORMANCE EVALUATION. Government Code section 54957. Title: County Counsel.

OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

No one spoke.

2) APPROVAL OF MINUTES

- M12-225** A. Approve minutes of the Regular Meeting held on October 2, 2012, as corrected.

Hunt moved; Hansen seconded

Vote: 5 Yes; 0 No

Corrections:

- Supervisor Johnston: 1) Board Member Reports, bullet point 3: Should be CSAC fellows, not fellowship. 2) Item #8a, SCE Rush Creek—Lee Vining Fiber Installation Project: References to “overground”, should be “overhead” (Randy Schultz comment, bullet point 4; Supervisor Hazard comment, bullet point 2; Supervisor Johnston comment, bullet point 1).
- Supervisor Bauer: 1) Item #8a, SCE Rush Creek—Lee Vining Fiber Installation Project, Further Board Discussion, Bauer bullet point 1 should read, “Concerned that something will happen in June Lake before we finally have a policy in place”. 2) Item #9a, Employment Contract for Aimee Brewster, Bauer comments, bullet point 4: Change to, “...Bauer was told that Mammoth’s first right of refusal in the Rodeo Grounds expires in March...”.

3) BOARD MEMBER REPORTS

Supervisor Bauer

1. No report.

Supervisor Hansen

1. Last Wednesday: Attended the Lee Vining RPAC meeting.
2. Out of Town on Friday.

Supervisor Hazard

1. October 10: Attended the Owens Valley Observatory lecture.

2. October 15: Attended a meeting of the Public Employees Retirement Association in Bishop, and spoke about the current status of PERS and Digital 395.
3. November 6 meeting: Will be giving a presentation about the impact of Digital 395 on health care in the Eastern Sierra.

Supervisor Hunt

1. October 12: Met with John Wentworth to discuss the MLTPA trail dedication ceremony.
2. October 13: Attended the local play of Marvelous Wonderettes.
3. Yesterday: Met with CalTrans about Conway Ranch; will meet again on November 1.
4. Last day to register to vote is October 22.

Supervisor Johnston

1. Yesterday: Attended the LTC meeting and discussed 1) overall work program; 2) paving Bodie Road up to the last mile; 3) Bridgeport Main Street; 4) ESTA ridership; 5) status of Sonora wildlife crossing; 6) political signs; 7) transportation reauthorization bill (MAP 21); 8) High Point Curve project.
2. Great Basin Air Pollution Control District: DWP has sued several agencies to stop implementation of the dust controls on Owens Lake.
3. Attended a Special Meeting of Mammoth Lakes Housing to discuss the Town's lawsuit settlement; MLH is funded by Measure A funds and about 1% of TOT. Funding has been cut, and any additional cuts will make it difficult to provide oversight of grants.

COUNTY ADMINISTRATIVE OFFICE

4)

CAO Report regarding Board Assignments (Jim Arkens)

ACTION: Receive brief oral report by County Administrative Officer (CAO) regarding his activities.

Jim Arkens

1. Last Wednesday: Met with the road crews for Coffee with the CAO.
2. Held status meetings.
3. Met with the Grand Jury.
4. Last Friday: Attended a labor law seminar in Fresno.
5. Regarding the Twin Lakes mud slide issue, County crews can make temporary fixes. This is ultimately a Forest Service issue, and it may be up to the property owners to solve the problems on their property.
 - a. The Board asked Arkens to agendize this issue.
6. Brian Muir, Finance Director, has accepted a position in Shasta County. Arkens needs to announce the job opening at this time.
 - a. The Board acknowledged that he can begin the process and asked for the salary to be listed as negotiable.

DEPARTMENT REPORTS/EMERGING ISSUES

- **Linda Salcido, Public Health:** 1) Briefing about cases of spinal meningitis due to tainted drugs; no cases have occurred in California or Nevada. 2) Mammoth Hospital participated in the Pink Glove Dance to raise awareness about breast cancer. The hospital could win about \$10,000 if their video gets a lot of online votes. The funding would provide services for families struggling with breast cancer.
- **Julie Tiede, Social Services:** Overview about employment training program; introduced Stacey Gabor who has done a lot of work on this program. Two people have completed the program and found good employment. Will also be implementing an on-the-job training program; this does not require County funding.
- **Brian Muir, Finance:** Per a prior Board request, reported on the cost of local purchases of copy paper. The most economical price is \$8.85 per ream, plus shipping; there are no discounts for volume. The County is currently paying less than \$3.00 per ream
- **Alicia Vennos, Economic Development:** Update about the June Lake marketing effort. The PR consultant arrived yesterday and toured the area. First news releases

- will go out this week with a billboard to go up and website to go live early next week.
- Supervisor Hazard: Mono County is currently featured in Rachel Ray's magazine "Every Day".

CONSENT AGENDA

(All matters on the consent agenda are to be approved on one motion unless a board member requests separate action on a specific item.)

FINANCE

Additional Departments: Clerk-Recorder

- 5a) Social Security Number Truncation Program - California law requires a review of the County's Social Security Number Truncation Program.

M12-226 **Action:** Receive written report regarding County's Social Security Number Truncation Program.

Hazard moved; Johnston seconded

Vote: 5 Yes; 0 No

- Brian Muir, Finance Director: This report was prepared by Stephanie Butters, an accountant in his office; she does good work.

REGULAR AGENDA

CORRESPONDENCE RECEIVED (INFORMATIONAL)

All items listed are available for review and are located in the Office of the Clerk of the Board

CLERK OF THE BOARD

- 6a) Singer Letter Regarding Ambulance Fees - Correspondence from Rick Singer, received 10/9/12, regarding a recent ambulance transport and the fees involved.
- Lynda Salcido: Addressed misconceptions contained in this letter. 1) The rate was approved by the Board during the last fee schedule approval process. 2) The recent Fitch report suggested the rates were below the norm. 3) This was a BLS case with transport from Mammoth Mountain. 4) Base rates are comparable to Inyo County. 5) There is a minimum rate plus mileage; ambulances are usually staffed with two paramedics or a paramedic and EMT. 6) Salcido will respond to the letter.

Board acknowledged receipt of the letter.

BOARD OF SUPERVISORS

- 7a) Domestic Violence Awareness Month (Susi Bains, Wild Iris) - Proclamation designating October 2012 as Domestic Violence Awareness Month. Chairwoman Bauer is sponsoring this item.

M12-227 **Action:** Approve proclamation designating October 2012 as Domestic Violence Awareness Month.

Hunt moved; Johnston seconded

Vote: 5 Yes; 0 No

- Supervisor Bauer read the proclamation and the Board presented it to Susi Bains.

- Bains provided updated information about victims of domestic violence in Mono County.
- Supervisor Hazard: Talked about law enforcement's role and how domestic violence involves both men and women.
- The Board acknowledged Wild Iris as an asset to the community.

PUBLIC WORKS - ROAD DIVISION

- 8a) Encroachment Fee Waiver - Wheeler Crest Community Service District (Jeff Walters) - The Wheeler Crest Community Service District (WCCSD) has two scheduled projects that are in Mono County's right-of-way. The installation of a water line and a power line require an encroachment permit through Public Works. The WCCSD is requesting that the encroachment permit fee be waived for these projects.

M12-228 **Action:** Authorize the Public Works Director to waive encroachment permit fees associated with the Wheeler Crest Community Service District's installation of a water line and a power line in the community of Swall Meadows.

Hazard moved; Hansen seconded

Vote: 5 Yes; 0 No

- Jeff Walters, Public Works—Road Division: Wheeler Crest Community Service District applied for and paid for an encroachment to install a power line and water line. They asked for a waiver because of the utility improvements they are making. All other conditions remain the same. Requests are becoming more common. The work will be done in the road shoulder, therefore, will be underground.
- Supervisor Hansen: Supports the waiver, but does not want their liability waived.

HUMAN RESOURCES

Additional Departments: Assessor, Finance

- 9a) Authorization to Fill Vacant Position (Jim Arkens) - Consider authorizing recruitment and hiring to fill FTS III position in the Assessor's Department.

M12-229 **Action:** Authorize recruitment and hiring to fill FTS III position in the Assessor's Department.

Hunt moved; Hazard seconded

Vote: 5 Yes; 0 No

- Brian Muir: The position in question is the sole fiscal/clerical support position in the Assessor's office, and reports to the Assessor. The vacancy will be created by a retirement at end of the year. Would like to begin recruiting prior to December to maximize the number of applications.
- The Board talked about the impact of pension reform on recruiting.

BOARD OF SUPERVISORS

Additional Departments: Clerk of the Board and Finance

- 10a) Mono County Legal Notices (Lynda Roberts and Mary Booher) - At the regular meeting of July 13, 2010, the Board of Supervisors reviewed bids submitted by The Sheet and Mammoth Times pertaining to publication of legal notices. At that time, a majority of the Board expressed an interest in having legal notices

published in both papers. Since the Fall of 2010, Mono County Departments have been publishing legal notices in both The Sheet and Mammoth Times. The Board of Supervisors requested this agenda item in order to discuss the practice of publishing legal notices in both papers.

No Motion

Action: Direct staff to continue publishing legal notices in both The Sheet and Mammoth Times, and bring this issue back as a policy discussion at mid-year budget review.

- Lynda Roberts, Clerk of the Board: Reviewed the staff report and attachments. Roberts noted that the cost to publish notices in both papers will vary year to year depending on the number of legal notices published. Some savings will be realized if departments publish legal notices in only one paper, but the amount of savings is not known.

Public Comment

- Aleksandra Gajewski, Mammoth Times: This year, circulation of Mammoth Times expanded into North County; since Mammoth Times is audited by the post office, they can verify the circulation. Most subscribers are out of County. There is currently no circulation in the Benton/Chalfant areas, but she can move forward by putting racks in those areas. Gajewski would like the opportunity to prove that the Times will be circulated Countywide. She was not with the paper when the initial discussion came before the Board two years ago.
- Ted Carleton, The Sheet: Questioned the circulation numbers listed in the agenda item by Mammoth Times. He has kept his promise to circulate The Sheet throughout the County, including Walker and Tri Valley. It has cut into his bottom line to provide wider circulation, and his competitor hasn't been providing papers Countywide for the last two years. Plus the Times charges \$0.50 so people have to pay to read legal notices.

Board Discussion

- The Board discussed the issues pertaining to this situation: circulation and the importance of verifying the circulation, their decision of two years ago, distribution methods, efforts by The Sheet to provide papers Countywide, potential cost to publish legal notices in both papers, requesting bids, aspect of assisting local businesses (both newspapers), wider public outreach by publishing in both papers, competition factor, requiring circulation in the County to be equitable between both papers, putting news racks at community centers so publications are available at the same place and at the same time, need to resolve policy issue, obligation to the tax payers, performance of each paper.

The Board concluded that there is no timeline for resolving this issue and it could come back as a policy item at the mid-year budget review. They asked both papers to keep track of their circulation numbers closely so the Board can review them at a future date.

The Board of Supervisors convened at 12:10 p.m. as the Mono County Economic Development Corporation. The meeting of the EDC adjourned at 12:16 p.m.

LUNCH

OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

- Leigh Gaasch. Her guide dog trainee, Jaymon, has been called for service and Friday will be her last day in Mammoth. Gaasch will then get a new dog trainee. Gaasch expressed her appreciation to the Board for letting her bring Jaymon to the meetings as part of the education process.

FINANCE

- 11a) Funding Support for Non-County Agencies and Organizations (Brian Muir) - Consider requests for funding support from non-county agencies and organizations.

M12-230 Action: Approve allocation of \$75,000 to support Non-County Agencies and Organizations as follows:

- Mammoth AYSO, \$3,000
- Mammoth Lakes Swim Team, \$3,000
- Mono County Little League, \$3,000
- UC 4H Science Camp, \$500
- Mono Basin Historical Society, \$5,000
- Southern Mono Historical Society, \$5,000
- Chamber Music Unbound, \$8,000
- Mono Council for the Arts, \$11,000
- Jazz Jubilee Festival, \$10,000
- June Lake Loop Music Festival, \$5,000
- Mammoth Lakes Sierra Summer Festival, \$5,000
- Forest Service (E.S. Avalanche Center), \$2,500
- Friends of the Inyo, \$5,000
- Mammoth Lakes Trails and Public Access, \$5,000
- Sierra Bounty Produce Collective, \$2,000
- Yosemite Gateway Partners, \$2,000

Bauer moved; Hazard seconded

Vote: 5 Yes; 0 No

Brian Muir, Finance: The Finance Department made every effort to contact all groups.

Representatives from the following groups made requests and spoke briefly about their programs.

- Mammoth AYSO: \$3,000. They serve youth from Mammoth, Mono City, Lee Vining, June Lake, and Sunny Slopes
- Mammoth Lakes Swim Team: \$3,000. This contribution helps keep costs down for swimmers. They have 100 participants and serve youth from June Lake, Crowley, Swall, Paradise, and Mammoth.
- Mono County Little League: \$3,000. This contribution helps keep costs down. They have 220 participants and serve youth from Bridgeport, Lee Vining, and Mammoth.
- 4H Science Camp: \$520. The funding will help keep this a free program. The 2013 camp will be held in Lee Vining and will target Lee Vining, June Lake, and Bridgeport.
- Mono Basin Historical Society: \$5,000. This will be used as grant match funds.
- Southern Mono Historical Society: \$5,000. This will be used for operation and maintenance.
- Chamber Music Unbound: \$10,000. This will be used for County-wide music education and afterschool programs, as well as performance programs.
- Mono Council for the Arts: \$20,000. This will be used for grant match funds and arts programs.
- Jazz Jubilee: \$20,000. Helps with advertising that promotes the area and supports kids' programs.
- June Lake Loop Music Festival: \$20,000. This will assist with the young artists program and free music camp for kids. People outside the community are supportive of this program and bring visitors to the area.
- Mammoth Lakes Sierra Summer Festival: \$10,000. County funding has been a key

part of bringing the orchestra to Mammoth Lakes.

- Antelope Valley CERT: \$6,585. This funding will be used for books and backpacks with supplies for the basic training academy, which is cost-free for participants.
- Forest Service (Eastern Sierra Avalanche Center): \$5,000. This funding will help operate the center (avalanche forecaster and website). The Forest Service provides oversight and indirect support costs.
- Friends of the Inyo: \$7,500. This will support FOI programs and the June Lake Trails program.
- Mammoth Lakes Trails and Public Access: \$14,000. Due to the Town's financial issues, this funding will help keep the program operating. Also, this financial support can be used for matches. The trails system benefits the region.
- Sierra Bounty Produce Collective: \$5,256. This will help to increase outreach by hiring a part-time coordinator, and will assist low-income families.
- Yosemite Gateway Partners: \$2,000. The funding will be used to purchase technology to connect the region electronically to Yosemite so they can attend meetings year round.

Board discussion about proposed requests:

- There are variables impacting the various organizations.
- The Board should consider the direct impact of programs to the local economy.
- As a starting point, Supervisor Hunt proposed funding levels that equal the \$75,000 allocated. The Board discussed the suggested funding level, and considered the various programs and alternative funding scenarios.
- Considered the idea that organizations need to find non-governmental funding sources.
- Asked staff to agendize a policy discussion about having the Sheriff's department fund the CERT program.
- Asked staff to agendize a discussion about purchasing specific avalanche information from Eastern Sierra Avalanche Center.

ADJOURN: 3:29 p.m.

ATTEST:

VIKKI BAUER
CHAIR

LYNDA ROBERTS
CLERK OF THE BOARD

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